

**USDC SDNY  
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DOC #: \_\_\_\_\_  
DATE FILED: 6/12/08**

**ORIGINAL**

**Bond No. 6563617**

In the UNITED STATES DISTRICT, SOUTHERN DISTRICT

Court of the State of New York for the

County of \_\_\_\_\_

DIRECTV LATIN AMERICA, LLC, individually  
and in the right and on behalf of LATIN  
AMERICAN SPORTS, LLC,

Plaintiff,

vs.

PARK 610, LLC, CARLOS VICENTE AVILA,  
ROBERTO TIMISITI, CARLOS PRATOLA,  
ALEJANDRO ZUNDA CORNELL and DOES 1 through  
10, DIEGO CLEMENTE, Defendants,

}

and LATIN AMERICAN SPORTS, LLC, as a  
Nominal Defendant.

**UNDERTAKING ON ATTACHMENT**

Case

INDEX NO. 08 CIV 3987 (VM) (GWG)

WHEREAS, the above-named Plaintiff ha s applied, or about to apply in the above-entitled action to one of the Justices of this Court for an order of attachment against the property of the above-named Defendant, DIEGO CLEMENTE

under and by virtue of the Civil Practice Law and Rules. FRCP (64) Federal  
Article 62

NOW, THEREFORE, the Safeco Insurance Company of America,  
having an office and principal place of business in the State of New York, at 330 N. Brand Blvd., Ste. 680, Glendale, CA 91203,  
hereby undertakes, pursuant to the Statute, in the amount of California Twenty Thousand And NO/100-----  
Dollars (\$ 20,000.00 ),

of which amount the sum of Twenty Thousand And No/100

Dollars (\$ 20,000.00 )

thereof is conditioned that the plaintiff will pay to the defendant all costs and damages including reasonable attorney's fees  
which may be sustained by reason of the attachment if the defendant recover judgment, or if it is finally decided that the plaintiff  
was not entitled to an attachment of the property of the defendant and the balance of Twenty Thousand And NO/100

Dollars (\$ 20,000.00 )

is conditioned that the plaintiff will pay to the sheriff all of his allowable fees.

Dated June 9, 2008

SAFECO INSURANCE COMPANY OF AMERICA

*Approved  
6/12/08  
S. Michael Morris  
CFA  
By R  
Ap/Han*

By Cesar F. Javier

Cesar F. Javier

Attorney-in-Fact

**Bond**

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT NEW YORK

Case No. 08 Civ. 3987 (VM)

DIRECTV LATIN AMERICA, LLC, individually and  
in the right and on behalf of LATIN AMERICAN SPORTS, LLC,  
Plaintiff,

-against-

PARK 610, LLC, CARLOS VICENTE AVILA, ROBERTO TIMISTIT,  
CARLOS PRATOLA, ALEJANDRO ZUNDA CORNELL, DIEGO CLEMENTE,  
AND DOES 1 THROUGH 10,

Defendants

and

~~LATIN AMERICAN SPORTS, LLC~~, Nominal Defendant.

**UNDERTAKING ON ATTACHMENT**

**SURETY**

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To THE ABOVE NAMED DEFENDANTS

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Please take notice that an Undertaking of which the  
within is a copy has been duly executed and filed herein  
with the Clerk of the United States District Court  
for the Southern District of New York

Dated June 10, 2008

Terence St. McCormick  
Attorney for Plaintiff

POWER  
OF ATTORNEY

Safeco Insurance Company of America  
 General Insurance Company of America  
 Safeco Plaza  
 Seattle, WA 98185

No. 9085

## KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

\*\*\*\*\*TENZER V. CUNNINGHAM; CESAR F. JAVIER; CHRISTINA JOHNSON; SHANNA E. JUDSON; KRISTINE MENDEZ;  
 JEFFREY STRASSNER; NATALIE K. TROFIMOFF; PATRICIA TALAVERA; Los Angeles, CA\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

**IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 16th day of May 2008

STEPHANIE DALEY-WATSON, SECRETARYTIM MIKOŁAJEWSKI, SENIOR VICE-PRESIDENT, SURETY

## CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA**  
 and of **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA**  
 and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Stephanie Daley-Watson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this \_\_\_\_\_ day of JUN 9 2008

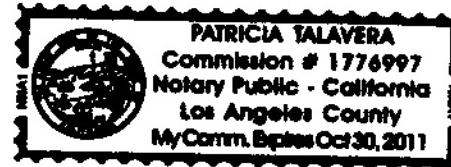
STEPHANIE DALEY-WATSON, SECRETARY

Safeco® and the Safeco logo are registered trademarks of Safeco Corporation.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**State of CaliforniaCounty of Los AngelesOn JUN 9 2008 before me, Patricia Talavera, Notary Publicpersonally appeared, Cesar F. Javier

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

  
SIGNATURE OF NOTARY

Notary Public Seal

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**DESCRIPTION OF ATTACHED DOCUMENT:**

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NUMBER OF PAGES: \_\_\_\_\_ DOCUMENT DATE: \_\_\_\_\_

**CAPACITY(IES) CLAIMED BY SIGNER(S)**

Signer's Name: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

 INDIVIDUAL INDIVIDUAL CORPORATE OFFICER CORPORATE OFFICER

Title(s): \_\_\_\_\_

Title(s): \_\_\_\_\_

 PARTNER(S)  LIMITED  GENERAL PARTNER(S)  LIMITED  GENERAL ATTORNEY-IN-FACT ATTORNEY-IN-FACT TRUSTEE(S) TRUSTEE(S) GUARDIAN/CONSERVATOR GUARDIAN/CONSERVATOR OTHER: \_\_\_\_\_ OTHER: \_\_\_\_\_

Signer is representing: \_\_\_\_\_

Signer is representing: \_\_\_\_\_

NAME OF PERSON(S) OR ENTITY(IES)

NAME OF PERSON(S) OR ENTITY(IES)